

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1026
93RD GENERAL ASSEMBLY

Reported from the Committee on Financial and Governmental Organizations and Elections, March 9, 2006, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

4767S.02C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal sections 42.014 and 42.015, RSMo, and to enact in lieu thereof two new sections relating to veterans' programs.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 42.014 and 42.015, RSMo, are repealed and two new
2 sections enacted in lieu thereof, to be known as sections 42.014 and 42.015, to
3 read as follows:

42.014. 1. The Missouri general assembly shall, through appropriations
2 as provided by law, encourage the development of any veterans' programs
3 approved by the executive director of the veterans' commission whereby the
4 historical significance of veteran service can be dedicated to [outreach and]
5 education inside public schools, veteran cemeteries, veteran homes, and other
6 institutions as determined by rule and regulation.

7 2. The [executive director of the veterans' commission] **lieutenant**
8 **governor** shall administer the provisions of this section and may adopt all rules
9 and regulations necessary to administer the provisions of this section. Any rule
10 or portion of a rule, as that term is defined in section 536.010, RSMo, that is
11 created under the authority delegated in this section shall become effective only
12 if it complies with and is subject to all of the provisions of chapter 536, RSMo,
13 and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo,
14 are nonseverable and if any of the powers vested with the general assembly
15 pursuant to chapter 536, RSMo, to review, to delay the effective date, or to
16 disapprove and annul a rule are subsequently held unconstitutional, then the
17 grant of rulemaking authority and any rule proposed or adopted after August 28,

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

18 2004, shall be invalid and void.

19 3. Pursuant to section 23.253, RSMo, of the Missouri sunset act:

20 (1) The provisions of the new program authorized under this section shall
21 automatically sunset six years after August 28, 2004, unless reauthorized by an
22 act of the general assembly; and

23 (2) If such program is reauthorized, the program authorized under this
24 section shall automatically sunset twelve years after the effective date of the
25 reauthorization of this section; and

26 (3) This section shall terminate on September first of the calendar year
27 immediately following the calendar year in which the program authorized under
28 this section is sunset.

42.015. 1. In order to contribute to the preservation of freedom, there is
2 established in the state treasury a special trust fund, to be known as the
3 "Veterans' Historical Education Trust Fund". The fund shall be administered by
4 the [commission] **lieutenant governor** for the sole purpose of financing
5 veterans' [outreach and] education programs established in section 42.014.

6 2. The director of revenue shall deposit in the treasury to the credit of the
7 veterans' historical education trust fund all amounts received by or designated to
8 the fund established pursuant to this section and any other amounts which may
9 be received from grants, gifts, bequests, appropriations, the federal government,
10 or other sources granted or given for this specific purpose. The state treasurer
11 shall invest moneys in the veterans' historical education trust fund in the same
12 manner as surplus state funds are invested pursuant to section 30.260, RSMo. All
13 earnings resulting from the investment of moneys in the veterans' historical
14 education trust fund shall be credited to the veterans' historical education trust
15 fund.

16 3. As established by this section, funds appropriated by the general
17 assembly from the veterans' historical education trust fund shall only be used by
18 the [commission] **lieutenant governor** for purposes authorized pursuant to
19 section 42.014 and shall not be used to supplant any existing program or service.

20 4. The provisions of section 33.080, RSMo, requiring all unexpended
21 balances remaining in various state funds to be transferred and placed to the
22 credit of the general revenue fund of this state at the end of each biennium shall
23 not apply to the veterans' historical education trust fund.